

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

MICHAEL ARNEY,)	
)	
Petitioner,)	
)	
-vs-)	Case No. CIV-10-878-F
)	
H.A. LEDEZMA, Warden,)	
)	
Respondent.)	

ORDER

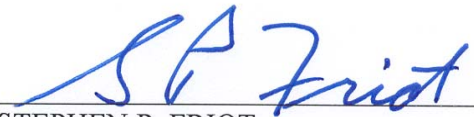
On June 21, 2011, United States Magistrate Judge Bana Roberts issued a Report and Recommendation, wherein she recommended that petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 be dismissed as moot. Magistrate Judge Roberts advised petitioner of his right to object to the Report and Recommendation by July 11, 2011 and further advised petitioner that failure to make timely objection to the Report and Recommendation waives the right to appellate review of both factual and legal issues therein contained.

To date, petitioner has not filed an objection to the Report and Recommendation and has not requested any extension of time to file an objection. With no objection to the Report and Recommendation being filed, the court accepts, adopts and affirms the Report and Recommendation in its entirety.

Accordingly, the Report and Recommendation issued by United States Magistrate Judge Bana Roberts on June 21, 2011 (doc. no. 19) is **ACCEPTED**, **ADOPTED** and **AFFIRMED**. Respondent's Motion to Dismiss, filed December 21, 2010 (doc. no. 17), is **GRANTED**. Petitioner's petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 is **DISMISSED** as moot. Respondent's alternative

Motion for More Definite Statement, filed December 21, 2010 (doc. no. 17), is **DENIED** as moot.

DATED July 26, 2011.



STEPHEN P. FRIOT
UNITED STATES DISTRICT JUDGE

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